IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63338 of 2026

CNR No. BRHC010913212026

Arising Out of PS. Case No.-213 Year-2026 Thana- BAHADURPUR District- Patna

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Ashish Kumar, Son of Raj Kumar Raman, Resident of Village- Khamauti, Ward No. 04, P.S.- Simri Bakhtiyapur, District- Saharsa. (Wrongly mentioned in F.I.R. Resident of Village- Simri Bakhtiyarpur), At Presently Resident of Musallahpur Hat, P.S.- Sultanganj, District- Patna

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Shashank Shekhar, Advocate
For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

4 30-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Bahadurpur P.S. Case No. 213 of 2026, registered for the offences under Sections 8(c), 21(b) of the NDPS Act and Section 25(1-B)(a), 26, 35 of Arms Act.

3. As per the prosecution case, three youths including this petitioner were apprehended due to their suspicious activities and from this petitioner, recovery of 12.06 grams of smack like substance was made. From other co-accused persons, recovery of a country made *katta* and two live cartridges and 10.8 grams of smack like substance, respectively was made.

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4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The recovery shown from the petitioner is planted and nothing incriminating has been recovered from the person/possession of the petitioner. The petitioner is alleged to have been in possession of 12.06 grams of smack, but the said quantity has been weighed taking weight of 'puria' in which the same was kept and the same is much below the commercial quantity, but more than small quantity. The petitioner is in custody since 26.05.2026 and is having clean antecedent. Charge sheet has been submitted.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the intermediate quantity of contraband seized and further considering the period of custody of the petitioner, his clean antecedent and submission of charge sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (NDPS Act), Court No. 1, Patna/concerned court,

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in connection with Bahadurpur P.S. Case No. 213 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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